

S/N 10/559,908

In response to the Office Action dated June 22, 2010

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application.

**Listing of Claims:**

1-13. (Canceled)

14. (Currently Amended) An information recording device for recording information on an information recording medium including

- a volume space for recording user data,
- a spare area containing a substitute area that can be used in place of a defective area contained in the volume space, and
- a defect management information area for recording defect management information used for managing the defective area,

wherein the defect management information contains a ~~DFL entry having~~ plurality of defect list entries, each defect list entry containing fields that store defect location information indicating a location of the defective area, substitute position information indicating a location of the substitute area, and defect status information indicating an attribute of the ~~defect management information list entry,~~ one form of the defect status information indicates that significant user data is not present in any of the defective area and the substitute area, and

~~another form different from the one form of the defect status information indicates that the defect status information is unused,~~

the device comprising:

- an initialization processing module, which maintains at least the defect location information of the defect management information ~~as a result of performing physical reformatting upon receiving an execution instruction of the physical reformatting of the information recording medium~~ and overwrites the defect status information with ~~the one form~~ an attribute indicating that significant user data is not present in any of the defective area and the substitute area, in each defect list entry for which defect management has

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been conducted upon receiving an execution instruction for a physical reformatting of the information recording medium.

15. (Currently Amended) The information recording device, according to claim 14, wherein the ~~DFL entry of the defect management information further comprises substitute location information indicating a location of the substitute area,~~  
and the initialization processing module erases the substitute location information in the ~~DFL~~ defect list entry, upon receiving an execution instruction of physical reformatting of the information recording medium.

16. (Currently Amended) The information recording device according to claim 14, further comprising an inspection processing module for inspecting the defective area indicated by the ~~DFL~~ defect list entry having an attribute indicating that physical reformatting has been performed while there is no operation instruction from a higher-level control device and invalidating the ~~DFL~~ defect list entry if defects in the defective area have been eliminated and allocating a substitute area to the defective area if a defect in the defective area is confirmed.

17-21. (Canceled)

22. (Currently Amended) The information recording device according to claim 14, wherein, in a case where user data is recorded in the defective area of the ~~DFL~~ defect list entry having an attribute subjected to the physical reformatting, or in a case where the user data is recorded in the substitute area to be a substitute destination of the defective area of the ~~DFL~~ defect list entry having the attribute subjected to the physical reformatting, the defect status information is changed from the one form to the another form,

wherein one form of the defect status information indicates that significant user data is not present in any of the defective area and the substitute area, and another form different from the one form of the defect status information indicates that the defect status information is unused.

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23. (New) A process for recording defect management information used for managing a defective area onto an information recording medium,

wherein the information recording medium records user data in a volume space, using a spare area containing a substitute area in place of the defective area contained in the volume space, and recording the defect management information in a defect management information area,

the defect management information contains a plurality of defect list entries, each defect list entry contains fields that store defect location information indicating a location of the defective area, substitute position information indicating a location of the substitute area, and defect status information indicating an attribute of the defect list entry, and

the attribute of the defect status information in each defect list entry for which defect management has been conducted after physical reformatting of the information recording medium indicates that significant user data is not present in any of the defective area and the substitute area.

24. (New) An information recording medium comprising a volume space for recording user data, a spare area containing a substitute area that can be used in place of a defective area contained in the volume space, and a defect management information area for recording defect management information used for managing the defective area,

wherein the defect management information contains a plurality of defect list entries, each defect list entry contains fields that store defect location information indicating a location of the defective area, substitute position information indicating a location of the substitute area, and defect status information indicating an attribute of the defect list entry, and

the attribute of the defect status information in each defect list entry for which defect management has been conducted after physical reformatting of the information recording medium indicates that significant user data is not present in any of the defective area and the substitute area.